

Court Alcohol and Drug Service Programs and Problem-Solving Courts

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What is a Court Alcohol and Drug Services Program?

- ▶ An entity that provides a service for persons charged with or convicted of an infraction, misdemeanor, or felony and that provides substance abuse assessment, intervention, referral, treatment or rehabilitation pursuant to IC 12-23-14 under the operation of a court or under contract with a court.




What is a Problem-Solving Court?


An immediate and highly structured judicial intervention that incorporates the following concepts:

- Enhanced information sharing
 - Engaging the community
 - Collaboration with social service providers
 - Linkages with community resources based on assessed risk and needs
 - Participant accountability
 - Continuous program evaluation
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Models


- ▶ Drug Court (35)
 - ▶ Reentry Court (8)
 - ▶ Mental Health Court (2)
 - ▶ Veterans' Court (10)
 - ▶ Community Court (1)
 - ▶ Family Dependency Drug Court (5)
 - ▶ Domestic Violence Court (0)
 - ▶ Any other court certified as a problem-solving court by the Indiana Judicial Center (2)
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Fiscal Support

- ▶ Gifts, bequests and donations from private sources
 - ▶ Grants and contract money from governmental sources
 - ▶ Other forms of financial assistance approved by the court
 - ▶ User fees
 - ▶ City or county general fund money
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A/D Program Fees

Court may charge a fee for program services (IC 12-23-14-16)

- Court is required to adopt a schedule of fees charged by local court rule
 - Fee for program services may not exceed \$400, excluding reasonable fees for education or treatment and rehabilitation services
 - Clerk is required to collect the fees
 - Fees must be deposited in the appropriate user fee fund (IC 33-37-8)
 - Fees collected under this statute must be used only to fund a/d program services
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PSC Fees

Court may charge a fee for problem-solving court services (IC 33-23-16-23)

- Board of Directors shall adopt rules establishing a range of fees for problem-solving court services
 - Court is required to adopt a schedule of fees charged by local court rule
 - Court or the Clerk is required to collect the fees
 - Fees must be deposited in the appropriate user fee fund (IC 33-37-8)
 - Fees collected under this statute must be used only to fund problem-solving court services under this chapter
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User Fees

Problem-Solving Courts Rules Section 16

- Court may assess an administration fee of not more than \$100 per admission to a problem-solving court for initial services
 - Court may assess a monthly user fee (beginning the second month of participation) of not more than \$50 for the length of problem-solving court participation
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Transfer Fee

Rules for A/D Programs Section 28

- A/D Program may charge a transfer fee of up to \$100 (this fee included in the \$400 cap)

Problem-Solving Court Rules Section 26

- A problem-solving court may charge a transfer fee not to exceed \$25 to initiate or accept transfers of individuals to or from another court.



PSC Chemical Testing Costs

IC 33-23-16-24

- A court may require a problem-solving court participant to pay for the cost of any or all chemical tests administered. Costs of chemical testing include laboratory expenses and problem-solving court expenses.

Problem-Solving Court Rules Section 25

- Court policy and procedure must specify the cost of and payment procedures for chemical testing.



A/D Resources

▶ Statutes

- <http://www.in.gov/legislative/ic/code/title12/ar23/ch14.html>

▶ Rules

- <http://www.in.gov/judiciary/cadp/files/cadp-rules.pdf>

▶ Directory

- <http://www.in.gov/judiciary/cadp/2631.htm>



PSC Resources

▶ Statutes

- <http://www.in.gov/legislative/ic/code/title33/ar23/ch16.html>

▶ Rules

- <http://www.in.gov/judiciary/pscourts/files/pscourts-psc-rules.pdf>

▶ Directory

- <http://www.in.gov/judiciary/pscourts/files/pscourts-psc-directory.pdf>



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